

MEETING MINUTES

MILPITAS PLANNING COMMISSION Milpitas City Hall, Council Chambers 455 E. Calaveras Blvd., Milpitas, CA

Wednesday, September 24, 2014

- I. PLEDGE OF ALLEGIANCE** **Chair Mandal** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. ROLL CALL/ SEATING OF ALTERNATE** **Commissioners**
Present: Chair Sudhir Mandal, Commissioners Gurdev Sandhu, John Luk, Rajeev Madnawat, Demetress Morris, Hon Lien
Absent: Vice Chair Ciardella, Commissioner Barbadillo
Staff: Steven McHarris, Johnny Phan, Cindy Hom
- III. PUBLIC FORUM** **Chair Mandal** invited members of the audience to address the Commission and there were no speakers.
- IV. APPROVAL OF MEETING MINUTES** **Chair Mandal** called for approval of the September 10, 2014 meeting minutes of the Planning Commission.

Motion to approve Planning Commission meeting minutes as submitted.
Motion/Second: Commissioner Madnawat/Commissioner Luk
AYES: 5
NOES: 0
ABSTAIN: 1 Sandhu
- V. ANNOUNCEMENTS** Planning Director Steven McHarris announced that the October 8 regular meeting of the Planning Commission was cancelled due to a lack of agenda items.

Mr. McHarris would like to arrange a tour for the commissioners to visit project sites they have approved and Planning Secretary Elia Escobar will contact them with possible dates for a tour.
- VI. CONFLICT OF INTEREST** **Assistant City Attorney Johnny Phan** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.
- VII. APPROVAL OF AGENDA** **Chair Mandal** asked if staff or Commissioners had changes to the agenda.

Motion to approve the September 24, 2014 agenda as submitted.
Motion/Second: Commissioner Sandhu/Commissioner Madnawat
AYES: 6

NOES: 0

VIII. CONSENT CALENDAR

NO ITEMS

IX. PUBLIC HEARING

IX-1

JAKES WAYBACK BURGER – 1547 California Circle – UP14-0015: A request for a Conditional Use Permit to allow for a 2,000 square foot fast food establishment in an existing building. This project is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Planning Director Steven McHarris introduced the item and Project Planner Cindy Hom gave a short presentation and description of the project.

Commissioner Madnawat asked if the business hours of 9:00 am – 9:00 pm was a City condition and Ms. Hom replied that they were proposed by the applicant. Planning Director McHarris said if the business does well they may wish to expand their business hours.

Commissioner Morris asked about shared parking with Starbucks and if additional spaces were needed, and Ms. Hom replied that the applicant meets the parking requirements.

Applicant Abdul Usman spoke briefly about why he decided to establish his own business and gave a brief overview of Jake's Wayback Burgers which he said has been in business since 1991. He and his business partner have worked on the restaurant for some time and just recently learned that they needed to obtain for a conditional use permit.

Commissioner Madnawat asked about procedures for food preparation and safety standards. Mr. Usman said that Jake's is a franchise and they follow their procedures. He and his business partner will attend a 20 day training in Connecticut followed by three trainers will come to their restaurant in Milpitas for 10 days prior to the opening to provide training to their new employees. He added that there will be a soft opening for friends and family and the trainers will be present to make suggestions and provide feedback

Commissioner Morris had further questions regarding the parking situation and Daniel Cho, the Property Manager, said the landlord is his father and they feel there is plenty of parking available. He added that much of the Starbucks sales at that location are done through the drive through.

Chair Mandal opened the public hearing and there were no speakers

Motion to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Luk

AYES: 6

NOES: 0

Commissioner Madnawat would like to remove condition #18 limiting business hours

from 9:00 am – 9:00 pm.

Motion to adopt Resolution No. 14-032 approving Conditional Use Permit No. UP14-0015 to allow for a 2,000 square foot fast food establishment with the deletion of condition of approval #18.

Motion/Second: Commissioner Madnawat/Commissioner Sandhu

AYES: 6

NOES: 0

ABSTAIN: 0

X. NEW BUSINESS

NO ITEMS

XI. ADJOURNMENT

The meeting was adjourned at 7:30 PM to the next meeting of October 22, 2014.

Motion to adjourn to the next meeting.

Motion/Second: Commissioner Sandhu/Commissioner Luk

AYES: 6

NOES: 0

ABSENT: 2

*Meeting Minutes submitted by
Planning Secretary Elia Escobar*